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Docket No.: R2180.0161/P161
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yasushi Abe et al.

Application No.: 10/620,363

Confirmation No.: 8922

Filed: July 17, 2003

Art Unit: N/A

For: APPARATUS, PROGRAM, MEDIUM FOR
IMAGE-AREA SEPARATION, IMAGE
PROCESSING AND IMAGE FORMING

Examiner: Not Yet Assigned

**PETITION TO RESET PERIOD OF RESPONSE BASED ON FAILURE TO RECEIVE
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants' representative never received the Notice to File Missing Parts of Nonprovisional Application (hereinafter, "Notice") mailed September 9, 2003.

Applicant's representative became aware of the Notice when the Office mailed on April 2, 2004 a courtesy copy of the Notice, apparently in response to the Status Inquiry filed March 17, 2004.

Applicant hereby petitions the Commissioner to reset the two month period for responding to begin on April 2, 2004, the mailing date of the courtesy copy.

As noted above, applicants' representative never received the Notice mailed

on September 9, 2003. Applicants' representative has diligently searched its file jacket and docket records. The file jacket and the docket records are consistent with the non-receipt of the September 9, 2003 notice.

Exhibits A – G are attached to this petition. Each exhibit includes evidence that the September 9, 2003 Notice was not received. More specifically:

Exhibit A: This exhibit is a print out from our computerized docketing system. The top portion of the exhibit includes a database field which identifies the application by our docket identifier of "R2180.0161/P161." The bottom portion of the exhibit identifies the exhibit as corresponding to the state of the computer record after it was updated on April 5, 2004, the date which the courtesy copy of the Notice was received, in response to our Status Inquiry of March 17, 2004. The middle portion of the exhibit includes a series of actions associated with the application. A "Missing Parts Mail Date" of September 9, 2003 was retroactively entered into the system when the courtesy copy of the Notice was received. Evidence that the original Notice was not received includes the appearance of only the "MSG PARTS (5X)" entry. In our docketing system, the legend "(5X)" indicates that the 5-month extension of time is required. If the original Notice had been received and no response filed, entries corresponding to the original due date, and each subsequent monthly extension of time due date would respectively appear in the exhibit, as "MSG PARTS (0X)," "MSG PARTS (1X)," "MSG PARTS (2X)," "MSG PARTS (3X)," and "MSG PARTS (4X)." The absence of these entries indicates that the original Notice was never received.

Exhibit B: This exhibit is a photocopy from a handwritten log book maintained as a manual backup to the computerized portion of the docketing system. The photocopied pages correspond to all the entries made on November 9, 2003. All actions due on the date shown at the top of each page are written into the log. When an action is completed and delivered to docketing, its entry is crossed out.

Each entry shows the initials of the handling attorney, the internal docket number, the application serial number, the action due, and any applicable notes.

The first due date for response to the September 9, 2003 Notice would have been November 9, 2003. If the Notice had been received, there would be an entry in the handwritten log for November 9, 2003 regarding a response. However, the November 9, 2003 log does not have any entries associated with the instant application.

Exhibit C: This exhibit is a photocopy from the handwritten log book first described in connection with Exhibit B. The photocopied pages correspond to all the entries made on December 9, 2003, which would have been the due date with a 1-month extension of time for responding to the September 9, 2003 Notice. If the Notice had been received, and if no response had been filed by November 9, 2003, there would be an entry in the handwritten log for December 9, 2003 regarding a response with a 1-month extension of time. However, the December 9, 2003 log does not have any entries associated with the instant application.

Exhibit D: This exhibit is a photocopy from the handwritten log book first described in connection with Exhibit B. The photocopied pages correspond to all the entries made on January 9, 2004, which would have been the due date with a 2-month extension of time for responding to the September 9, 2003 Notice. If the Notice had been received, and if no response had been filed by December 9, 2003, there would be an entry in the handwritten log for January 9, 2004 regarding a response with a 2-month extension of time. However, the January 9, 2004 log does not have any entries associated with the instant application.

Exhibit E: This exhibit is a photocopy from the handwritten log book first described in connection with Exhibit B. The photocopied pages correspond to all the entries made on February 9, 2004, which would have been the due date with a 3-month extension of time for responding to the September 9, 2003 Notice. If the

Notice had been received, and if no response had been filed by January 9, 2004, there would be an entry in the handwritten log for February 9, 2004 regarding a response with a 3-month extension of time. However, the February 9, 2004 log does not have any entries associated with the instant application.

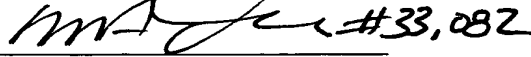
Exhibit F: This exhibit is a photocopy from the handwritten log book first described in connection with Exhibit B. The photocopied pages correspond to all the entries made on March 9, 2004, which would have been the due date with a 4-month extension of time for responding to the September 9, 2003 Notice. If the Notice had been received, and if no response had been filed by February 9, 2004, there would be an entry in the handwritten log for March 9, 2004 regarding a response with a 4-month extension of time. However, the March 9, 2004 log does not have any entries associated with the instant application.

As demonstrated by Exhibits A-G, the originally mailed Notice was never received by applicants' representative. Accordingly, applicants' representative petitions to reset the period for response to the Notice to start on April 2, 2004, the date of mailing of the courtesy copy of the Notice.

No extension of time is believed necessary. However, if an extension of time is required, the Commissioner is requested to treat this petition as a petition for an extension of time necessary for filing a timely response to the Notice. The Petition fee of \$130.00 is enclosed. If no fee is due, please refund our Deposit Account 04-1073. If any additional fees are due, including any fees associated with any necessary extensions of time required for a timely response to the Notice, the Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. R2180.0161/P161. A duplicate copy of this paper is enclosed.

Dated: April 8, 2004

Respectfully submitted,

By  #33,082

Mark J. Thronson

Registration No.: 33,082

Christopher S. Chow

Registration No.: 46,493

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IPMaster (v1.4.3) - [Patent 1 of 1]

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Docket Number: R2180.0161/P161
Country: United States
Case Type: REGULAR CASE TYPE
Relation Type: ORIGINAL OR PATENT CASE
Filing Type: NATIONAL CASE
Filing Number:

Attorney: THOMAS J. D'AMICO
Agent:
Client\Division: RICOH COMPANY, LTD.
Current Owner: RICOH COMPANY, LTD.
Previous Owner:

APPARATUS, PROGRAM, MEDIUM FOR IMAGE-AREA SEPARATION, IMAGE

Filing Data	Related Party Info	Client Ref.	Actions	Description	Expenses	Inventors
Action		Action Due Date	Taken Date	Deadline Date	Completed Date	
IDS/FILED					7/17/2003	
FILE CLAIM FOR PRIORITY					7/17/2003	
STATUS INQUIRY DUE		7/17/2004				
FOREIGN/NA						
FILING RECT RECEIVED						
RCPT PUB NOTICE		1/17/2005				
PUBLISHED?		3/17/2004			3/17/2004	
FILING RECT RECEIVED					4/2/2004	
Missing Parts Mail Date		9/9/03			9/9/2003	
MISS. PARTS N/A						
MSG PARTS [5X]		4/9/2004				
*						

Created: 3/4/2003 Updated: 4/5/2004 12:00:41 PM By: ms10

EXHIBIT A

F 11/7/03

② 8/29/03

~~JOB 18602.0013/P013 5981.476 grace pd. ends~~

RCE 10/2/03

~~TD/ep 14005.0184/P184-01 09/939,295 ntc appeal (1)~~

NDAL 10/12/03

~~TD/maw 14005.0124/P124-03 10/206.043 ntc appeal~~

F 11/7/03

~~MUT/HW 10196.0009/P005 08/443,335 maint. fee OK~~~~[REDACTED]~~~~[REDACTED]~~~~TD/SPT K6510.0049/P049 09/338,503 ntc appeal (1)~~

abandoned 11/7/03

~~TD/GC 14005.0199/P199-01 09/085,855 ntc appeal~~~~[REDACTED]~~~~SAS 10/247,351 Assignment Due (*)~~ F 10/24/03~~TD/PZ 149876.0071/P071 10/291,710 Non Recordation *~~
② 10/23/03~~TD/CC 141065.0898/P898 10/114,130 Restr Resp Due (OK) (E) 11/~~~~PJT B2178.0081/P081 New Applo Priority Dik *~~ F 11/~~PJT B2178.0082/P082 New Applo Priority Dik *~~ F 11/~~PJT B2178.0083/P083 New Applo Priority Dik *~~ F 11/~~PJT B2178.0084/P084 New Applo Priority Dik *~~ F 11/

EXHIBIT B

inactive/abandoned 10/16/03

JDG/EO M3575.0000/P005 09/431,750 Final Resp DDL *

GSR B8900.0055/T055 76/044,541 Resp Due (P) 12/11/03

abandoned "C" was filed 12/9/03

TOD/GC M4065.0206/P206 09/327,776 Resp Due (OX)

inactive

JCL U2071.0003/P003 09/547,659 Final Resp/NTC Appeal (OX)

MJD/PL A8319.0016/P016 10/087,743 Issue Fee (X) pd 12/9/03

TOD/GC M4005.0458/P288-02 10/353,971 Resp Due (OX) (P) 12/8/03

MJD/JCH H0808.0005/P005 10/082,388 Issue Fee (X) pd 12/4/03

TOD/CAM G5030.0025/0025 09/976,553 Issue Fee (X) pd 12/9/03

TOD/PV M4065.0446/P446 09/939,653 Issue Fee (X) pd 12/9/03

DAG A1125.0000/P003 10/261,496 Final Response (OX) pd 12/10/03

DAG A1125.0000/P003 10/261,496 NTC Appeal (OX)

TOD/maw M4005.0576/P576 10/186,725 Issue Fee * (P) 12/9/03

TOD/maw R2180.0116/P116 09/994,593 Issue Fee * (P) 12/11/03

TOD/JD M4065.0502/P502 10/226,283 Final Resp (OX) (P) 12/11/03

TOD/JD M4065.0502/P502 10/226,283 NTC Appeal (OX)

DAG/PV P5030.0000/P023 09/783,124 Issue Fee Due * pd 10/10/03

GSR R8540.0000/T470 15/129,241 Sec 8 & 15 due

11/12/3/03

EXHIBIT C

Pd 1/7/04

~~TJD/ET A6200.0011/P011-01 08/240,458 Maint Fee Due (*)~~~~TJD/CAM M4065.0387/P387-02 10/175,291 Resp-Due (OX)~~~~TJD/GC M4065.0401/P401-B 10/366,925 Resp Due (OX)~~~~MJT/JW H6810.0184/P184 extend per M.F. 10/295,451 Resp Due (OX)~~~~MJT/JD 50255.0009/P009 10/162,153 Resp Due (OX)~~~~TJD/GC 03020.0359/P359 NEW APPLN * Final DDL (P) 12/30/03~~~~TJD/JD M4005.0502/P502 10/220,223 ntc appeal (IX)~~
per JD Dkt: filing Rce via courier~~MJT/PV A1125.0000/P003 10/261,496 ntc appeal (IX)~~
allowed 12/29/03~~TJD/JD M4005.0508/P508 10/105,301 Election of Species (OX)~~
Pd 1/7/04~~MJT A8319.0029/P028 New Patent apph. Final DDL *~~
fld 1/6/04

EXHIBIT D

FEBRUARY

9

MONDAY

2004 40th day - 326 days follow

R2190.0177/P177

Fla D-1803

~~DD/DD R4065.0500/P508 10/1003,743 missing parts (a)~~

Fla D-1703

~~DD/MB M4065.0181/P181-B 10/626,735 Mlg Parts (ox)~~

~~MJT/JW H0010.0104/P104 10/299,951 Resp Due (14) Ext~~

Fla D-1304

~~Sas/pm A0130.0036/P036 09/012,100 Resp Due (ox)~~

~~Notice of non-compliant amendment~~

	Number	May	Changed	To be Filed via Express Mail
CEM MJT	S8385.0002	/	P002	File Appra DDL
	A0345.0001			

EXHIBIT E

(X) GSR P2873.0000/T007 76/459,778 Statement of Use Due (*)
) SAW M2180.0076 76/455,219 Statement of Use Due (*)
) GSR B6005.0000/100 76/413,591 Statement of Use Due (*)
) TD/SAS/JW M4005.0501/P501 10/179,946 Response Due
) MUT/JD R2181.0276/P276 10/052,368 Response Due (O)
) TD/MOW M4005.0187/P787 09/550,816 Response Due (O)
) TD/RF/TJ M4005.0107/P107-E 10/295,952 Resp. Due (O)
) eam/pm C2432.0019 09/178,840 Final Resp (OX)
) eam/pm C2432.0019 09/178,840 NE Appeal (OX)
) TD/CC K0510.0053/P053 09/594,511 Final Resp (OX)
) TD/CC K0510.0053/P053 09/594,511 NE Appeal (OX)
) MIT/JW H6810.0184/P184 10/295,951 Resp Due (X)

EXHIBIT F